REMARKS

In the Office Action, the Examiner rejected claims 1-8, 10-17, 19-33, and 35-38, and withdrew from consideration claims 9, 18, and 34. Claims 1-8, 10-17, 19-33, and 35-38 remain under consideration in the present application and are believed to be in condition for allowance. In view of the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1-11, 13-20, and 22-38 under 35 U.S.C. § 103(a) as being unpatentable over Szamrej, U.S. Patent No. 5,990,852 (hereinafter "Szamrej") in view of Callaway, et al., U.S. Patent No. 5,255,361 (hereinafter "Callaway"); and rejected claims 12 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Szamrej in view of Callaway, and further in view of Fujimoto, U.S. Patent No. 5,473,348 (hereinafter "Fujimoto"). Applicants respectfully traverse these rejections.

Legal Precedent

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (B.P.A.I. 1979). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). However, it is not enough to show that all the elements exist in the prior art since a claimed invention composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. *KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007). It is important to identify a reason that would have prompted a person of

ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. *Id.* Specifically, there must be some articulated reasoning with a rational underpinning to support a conclusion of obviousness; a conclusory statement will not suffice. *In re Kahn,* 441 F.3d 977, 988 (Fed. Cir. 2006). Indeed, the factual inquiry determining whether to combine references must be thorough and searching, and it must be based on *objective evidence of record. In re Lee,* 61 U.S.P.Q.2d 1430, 1436 (Fed. Cir. 2002).

Moreover, the Applicants submit that, during patent examination, the pending claims must be given an interpretation that is *reasonable* and *consistent* with the specification. *See In re Prater,* 162 U.S.P.Q. 541, 550-51 (C.C.P.A. 1969); *In re Morris,* 44 U.S.P.Q.2d 1023, 1027-28 (Fed. Cir. 1997); see also M.P.E.P. § 2111 (describing the standards for claim interpretation during prosecution). Indeed, the *specification* is "the primary basis for construing the claims." *See Phillips v. AWH Corp.,* 415 F.3d 1303, 1315 (Fed. Cir. 2005) (citations omitted). It is usually dispositive. *See id.* Interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. *See In re Cortright,* 49 U.S.P.Q.2d 1464, 1468 (Fed. Cir. 1999); *see also* M.P.E.P. § 2111. That is, recitations of a claim must be read as they would be interpreted by those of ordinary skill in the art. *See Rexnord Corp. v. Laliram Corp.,* 60 U.S.P.Q.2d 1851, 1854 (Fed. Cir. 2001); *see also* M.P.E.P. § 2111.01. In summary, an Examiner, during prosecution, must interpret a claim recitation as one of ordinary skill in the art would reasonably interpret the claim in view of the specification. *See In re American Academy of Science Tech Center,* 70 U.S.P.Q.2d 1827 (Fed. Cir. 2004).

Independent Claims 1, 13, 22, 25, 37, and 38

In rejecting claims 1, 13, 22, 25, 37, and 38, the Examiner cited to the Szamrej and Callaway references. Specifically, with respect to claim 1, the Examiner stated:

> Szamrej fails to explicitly teach reading the contents of each one of the blocks over a number of passes, wherein each pass reads a different fraction of all the blocks. However, the way of reading each block in the array as taught by Szamrej can be modified by reading each row in the block to find changes as disclosed in Callaway. As shown in Fig. 3, Callaway teaches a method of updating a display unit of a remote computer system by monitoring the changes in the display buffers row by row (col. 4, lines 18-57). Callaway further teach screen analysis begins by comparing each row of the host desk top buffer 44 with the same row in the remote image buffer 46. For each row having changed data, column numbers associated with the leftmost and rightmost changed bytes are recorded in a change table (col. 5, lines 24-35).
>
> Since Szamrej teaches reading the contents block by block to find the changes and transmitting the changed blocks, Callaway teaches reading the block row by row (a fraction of a block) to find changes and transmitting only the changed data, it would have been obvious to one skilled in the art to utilize the method as taught by Callaway in combination with the method as taught by Szamrej in order to quickly detect the changes in the host display and transmit to the remote computer (col. 5, lines 3-23).

Final Office Action, page 3. The Examiner rejected each of the other independent claims 1, 13, 22, 25, 37, and 38, under similar rationale. Applicants traverse the rejection.

In order to discover changes in the data displayed on a screen, the instant application discloses a method wherein "instead of reading every pixel block 200 sequentially, the screen is sampled for changing data based on a pattern or count. For example, every second, third, fourth (as indicated by 'X'), etc., pixel block 200 can be read as illustrated in Figure 11A. The sampling rotates every pass of the screen so that every pixel block 200 is eventually read.

For example, if sampling every fourth pixel block, it would take four passes of the screen to read every pixel block of the screen." Specification, page 19, lines 6-12.

As such, independent claim 1 recites, *inter alia*, "periodically reading the contents of each one of the blocks *over a number of passes, wherein each pass reads a different fraction of all the blocks*." (Emphasis added). Independent claim 13 recites, *inter alia*, "reading a first block and at least one subsequent block wherein all the blocks are read *over a number of passes and wherein each pass reads a different fraction of all the blocks*." (Emphasis added). Independent claim 22 recites, *inter alia*, "reading a second block of the screen, wherein all of the blocks are read *over a number of passes and each pass reads a different fraction of all the blocks*." (Emphasis added). Independent claim 25 recites, *inter alia*, "wherein the processor reads all of the blocks *over a number of passes and wherein each pass reads a different fraction of all of the blocks*." (Emphasis added). Independent claims 37 and 38 each recite, *inter alia*, "wherein each of the blocks are *read over a number of passes and wherein each pass reads a different fraction of all of the blocks*." (Emphasis added).

In sharp contrast, the Szamrej and the Callaway references, taken alone or in hypothetical combination, do not disclose such features. The Examiner admitted that the Szamrej reference fails to explicitly teach reading the contents of each one of the blocks over a number of passes, wherein each pass reads a different fraction of all of the blocks. *See, e.g.*, Office Action, page 3. Applicants agree with the Examiner in this regard. However, the Applicants disagree with the Examiner's assertion that the Callaway reference overcomes this admitted deficiency of the Szamrej reference. In particular, the Callaway reference simply teaches monitoring changes in display buffers row by row. Callaway, col. 4, lines 18-57.

Indeed, the Callaway reference states, "Screen analysis begins by comparing each row of the host desktop buffer 44 with the same row in the remote image buffer 46. For each row having changed data, column numbers associated with the leftmost and rightmost changed bytes are recorded in a change table (not shown)." *Id.* at col. 5, line 24-26. Thus, *each* row is read (and compared with the same row stored at a remote image buffer) on *each* pass to determine changed data. As such, the Callaway reference fails to disclose all the blocks being read over a number of passes and "wherein each pass reads a different fraction of all the blocks," as set forth in each of the independent claims 1, 13, 22, 25, 37, and 38.

Additionally, in the rejection, it appears as though the Examiner is equating the storing of column numbers associated with the leftmost and rightmost changed bytes in a change table with the recitation of "wherein each pass reads a different fraction of all the blocks." *See* Office Action, page 3. The storing of column numbers in a change table, however, has nothing to do with reading a different fraction of the block on each pass. As stated above, the Callaway reference discloses reading each row on each pass and only when a change is found in a row is a column number stored in the change table. *See* Callaway, col. 5, lines 24-35. As such, the Callaway reference does not disclose reading the contents of each one of the blocks over a number of passes, "wherein each pass reads a different fraction of all the blocks."

Accordingly, Applicants respectfully assert that the Szamrej reference and the Callaway reference, taken alone or in hypothetical combination, fail to disclose all the features of the independent claims 1, 13, 22, 25, 37, and 38. As such, the Examiner has failed to present a *prima facie* case for obviousness. Therefore, Applicants respectfully

request withdrawal of the Section 103 rejection of independent claims 1, 13, 22, 25, 37, and 38. Additionally, the Applicants respectfully request allowance of the independent claims, as well as all claims depending thereon.

Claims 12 and 21

The Examiner rejected claims 12 and 21 as being obvious over the Szamrej and Callaway references, in further view of the Fujimoto reference. As stated above, the Szamrej reference and the Callaway reference, taken alone or in combination, fail to disclose all the features of independent claims 1, and 13. Specifically, the Szamrej reference and the Callaway reference do not disclose reading all of the blocks "over a number of passes and *wherein each pass reads a different fraction of the blocks*." (Emphasis added.) The Fujimoto reference does not overcome the deficiencies of the Szamrej reference in this respect.

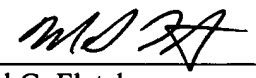
The Fujimoto reference is directed to improving the drawing performance of a coprocessor by determining whether an access target is a system memory or a VRAM. *See* Fujimoto, abstract. However, Applicants are unaware of, and the Examiner has not cited to any portion of the Fujimoto reference that can reasonably be considered the equivalent of reading all the blocks over number of passes and reading a different fraction of the blocks in each pass, as set forth in the independent claims. As such, Applicants respectfully request withdrawal of the Section 103 rejection and allowance of claims 12 and 21 based on their respective dependencies from independent claims 1 and 13.

Conclusion

In view of the remarks set forth above, Applicants respectfully request reconsideration of the Examiner's rejections and allowance of all pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: March 28, 2008



Michael G. Fletcher
Reg. No. 32,777
(281) 970-4545

Correspondence Address:
IP Administration
Legal Department, M/S 35
HEWLETT-PACKARD COMPANY
P.O. Box 272400
Fort Collins, CO 80527-2400